

PFUND MCDONNELL, P.C.  
ATTORNEYS AT LAW

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DAVID T. PFUND #

MARY C. MCDONNELL #

GERALD A. SHEPARD

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JESSE A. BENDER #

# ALSO MEMBER OF NEW YORK BAR

139 PROSPECT STREET  
SECOND FLOOR  
RIDGEWOOD, NEW JERSEY  
07450

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Tel: (201)857-5040  
Fax: (201) 857-5041  
www.pfundmcdonnell.com

MORRIS COUNTY OFFICE

2001 US Hwy 46  
Suite 104  
Parsippany, NJ 07054

NEW YORK OFFICE

170 Old Country Road  
Suite 608  
Mineola, NY 11501

January 29, 2021

**Via ECF**

The Honorable Cathy L. Waldor, U.S.M.J.  
Martin Luther King Courthouse  
50 Walnut Street  
Room 4040, Courtroom 4C  
Newark, New Jersey 07101

**Re: Fehl v. Borough of Wallington et al.**  
**Civ. Action. No.: 2:17-cv-11462 (KSH-CLW)**  
**Our File No. 024-4788**

Dear Judge Waldor:

Please be advised that this office represents Defendants Borough of Wallington and Sean Kudlacik in the above referenced matter. This office filed a Motion for Summary Judgment on December 17, 2020 (ECF 45). Codefendant Baginski also filed a Motion for Summary Judgment on the same day (ECF 44). These motions were filed in accordance with the Court's Text Order (ECF 43), which further advised that no judicial extensions would be permitted. The return date of the Motion was set for January 19, 2021.

On January 4, 2021, plaintiff's counsel submitted a request for an extension of time to file opposition to the two Summary Judgment Motions. This request was denied by the Court (ECF 47).

On January 28, 2021, nine days after the return date of the Motion, Plaintiff served opposition to the Borough Defendants' Motion.


Please accept this correspondence in accordance with correspondence submitted by Codefendant Baginski (ECF 52), seeking guidance as to whether the late opposition will be considered by the Court, or if the Motions will be deemed unopposed. If the Court is inclined to consider Plaintiff's opposition, Defendants respectfully request sufficient time to file a reply.

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Thank you for your consideration and attention to the above.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Mary C. McDonnell". The signature is fluid and cursive, with the first name "Mary" being more prominent.

MARY C. MCDONNELL, ESQ.

MCM/mm

cc: Jason Rindosh, Esq. (via ECF only)  
Christopher Botta, Esq. (via ECF only)